



COUNTY OF ALBEMARLE
Department of Community Development
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To: Albemarle County Board of Supervisors
From: Cameron Langille, Senior Planner II
Date: March 17, 2021
Re: SE202000029 2231 Seminole Lane Drive-Through Window Special Exception
TMP: 045B1-05-0A-01100
Magisterial District: Rio
School Districts: Woodbrook E.S.; Jouett M.S.; Albemarle H.S.
Zoning: HC Highway Commercial District

Summary of Request for Special Exception:

The applicant requests a special exception to vary the supplemental regulations in County Code § 18-5.1.60 (d), to allow a drive-through window at a proposed restaurant to operate from 5:30 A.M. - 10:00 P.M. daily. The ordinance requires:

5.1.60 Each drive-through window shall be subject to the following:

d. If any portion of a drive-through lane that is located between 50 and 100 feet of a residential district, the rural areas district, the Monticello Historic district, or any part of a planned development allowing residential uses, the drive-through window shall be open for business no earlier than 7:00 a.m. and shall be closed no later than 10:00 p.m., daily.

The subject property is surrounded by commercial zoning on three (3) sides. However, the property located to the rear (southeast) side is zoned R1 Residential and is part of the Carrsbrook subdivision. Therefore, the applicant is requesting to allow the drive-through window to operate 1.5 hours earlier in the A.M. than the Code allows. Staff analysis of the request is provided as Attachment B.

Staff Recommendation:

Staff recommends that the Board adopt the attached Resolution (Attachment C) to approve the special exception, subject to the condition attached thereto.

Attachments:

- A. Application Materials (Special Exception Request)
- B. Staff Analysis
- C. Resolution